

Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 159141

67

ORIGIN EB-11

INFO OCT-01 AF-10 ARA-16 EUR-25 EA-11 NEA-14 IO-14 ISO-00

CAB-09 CIAE-00 COME-00 DODE-00 DOTE-00 INR-11 NSAE-00

RSC-01 FAA-00 SS-20 NSC-07 L-03 H-03 PA-04 PRS-01

USIA-15 EPA-04 SCI-06 DRC-01 /187 R

DRAFTED BY EB/OA/AVP:CHDUDLEY:GL

APPROVED BY EB/OA/AVP:DBORTMAN

EPA - MR. FULLER(INFO)

FAA - MR. CARY(SUB)

FAA - MR. SHAFFER (DRAFT)

SCI/EN - AMBASSADOR TRUEHEART(INFO)

NEA/RA - MR. SEARING(PHONE)

EB/OA/AVP - MRS. GRAVATT

AF/RA - MR. WALKER (PHONE)

EA/RA - MR. NETHERCUT(PHONE)

EUR-MR MEIMA (PHONE)

ARA/ECP-MR OSLEN(INFO)

EA/ROC-MR LEONARD(PHONE)

----- 094012

R 231546Z JUL 74

FM SECSTATE WASHDC

TO AMEMBASSY BUENOS AIRES

AMEMBASSY BUCHAREST

AMEMBASSY CANBERRA

AMCONSUL MELBOURNE

AMEMBASSY TOKYO

AMEMBASSY VIENNA

AMEMBASSY BRUSSELS

USMISSION EC BRUSSELS

AMEMBASSY LA PAZ

AMEMBASSY BRASILIA

AMEMBASSY OTTAWA

AMEMBASSY SANTIAGO

AMEMBASSY TAIPEI

AMEMBASSY BOGOTA

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 159141

AMEMBASSY SAN JOSE

AMEMBASSY PRAGUE
AMEMBASSY COPENHAGEN
AMEMBASSY SANTO DOMINGO
AMEMBASSY NAIROBI
AMEMBASSY QUITO
AMEMBASSY CAIRO
AMEMBASSY SAN SALVADOR
AMEMBASSY HELSINKI
AMEMBASSY PARIS
AMEMBASSY BONN
AMEMBASSY LONDON
AMEMBASSY ATHENS
AMEMBASSY GUATEMALA
AMEMBASSY GEORGETOWN
AMEMBASSY PORT AU PRINCE
AMEMBASSY TEGUCIGALPA
AMEMBASSY REYKJAVIK
AMEMBASSY NEW DELHI
AMEMBASSY DUBLIN
AMEMBASSY TEL AVIV
AMEMBASSY ROME
AMEMBASSY KINGSTON
AMEMBASSY SEOUL
AMEMBASSY BEIRUT
AMCONSUL CASABLANCA
AMEMBASSY MEXICO
AMEMBASSY THE HAGUE
AMEMBASSY WELLINGTON
AMEMBASSY MANAGUA
AMEMBASSY OSLO
AMEMBASSY NASSAU
AMEMBASSY LAGOS
AMCONSUL MONTREAL
AMEMBASSY ISLAMABAD
AMEMBASSY LIMA
AMEMBASSY MANILA
AMEMBASSY WARSAW
AMEMBASSY LISBON
AMEMBASSY MOSCOW
AMEMBASSY PRETORIA
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 STATE 159141

AMEMBASSY MADRID
AMEMBASSY STOCKHOLM
AMEMBASSY BERN
AMEMBASSY BANGKOK
AMEMBASSY PORT OF SPAIN
AMEMBASSY ABIDJAN
AMEMBASSY CARACAS
AMEMBASSY BELGRADE

USMISSION GENEVA
AMEMBASSY KINSHASA
INFO AMCONSUL RIO DE JANEIRO
AMCONSUL KARACHI
AMCONSUL MONTREAL

LIMITED OFFICIAL USE STATE 159141

E.O.11652: N/A
TAGS: ETRN, XX
SUBJECT: CIVAIR- INTERNATIONAL AIR TRANSPORT ASSOCIATION
(IATA) AIDE MEMOIRE -UNILATERALISM AND INTERDEPENDENCE"
MONTREAL FOR US REP ICAO
CASABLANCA AND BEIRUT FOR RCAAS

1. DIRECTOR-GENERAL OF IATA, KNUT HAMMERSKJOLD, CALLED ON UNDERSECRETARY BARNUM, DEPARTMENT OF TRANSPORTATION, AND ASSISTANT SECRETARY ENDERS, BUREAU OF ECONOMIC AND BUSINESS AFFAIRS, DEPARTMENT OF STATE, RECENTLY TO EXPRESS CONCERN OVER UNILATERAL ACTION IN RULE-MAKING AREAS BY WHICH UNITED STATES EITHER PROPOSED OR ISSUED REGULATIONS APPLICABLE TO FOREIGN AIR CARRIERS OPERATING INTO U.S.

2. THE THREE INSTANCES IN QUESTION WERE NOT INDIVIDUALLY DISCUSSED BY HAMMERSKJOLD BUT WERE CITED AS EXAMPLE OF PROBLEM OF UNILATERAL U.S. APPROACHES. FOR POSTS BACKGROUND INFORMATION, PROPOSALS/RULES ARE:

(A) SPECIAL FEDERAL AVIATION REGULATION (SFAR)-27, EFFECTIVE FEBRUARY 1, 1974, IMPLEMENTING ENGINE EMISSION STANDARDS PROMULGATED UNDER EPA, PART 87. RULE COVERED FUEL VENTING REQUIREMENTS FOR ALL AIRCRAFT AND SMOKE LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 04 STATE 159141

EMISSION REQUIREMENTS FOR PRATT AND WHITNEY FAMILY OF ENGINES USED ON DC-9, BOEING 727 AND 737 AIRCRAFT. (SFAR 27 REPRINTED IN TITLE 14 OF CODE OF FEDERAL REGULATIONS AND EPA PART 87 IN TITLE 40, C.F.R.). COMPLIANCE WITH FUEL VENTING REQUIREMENTS IS NOT TOO DIFFICULT TO ACHIEVE. HOWEVER, SMOKE EMISSION REQUIREMENTS ON CLASS T-4 ENGINES (JT8D) PROHIBITS OPERATION OF SUCH ENGINES UNLESS THEY MEET EMISSION STANDARDS PROMULGATED BY EPA IN PART 87. COMPLIANCE REQUIRES INSTALLATION OF NEW BURNER CANS AT ESTIMATED COST OF DOLS 10,000 PER ENGINE. WHEN REGULATION ISSUED, ALMOST ALL ENGINES ON U.S. REGISTERED AIRCRAFT HAD BURNER CANS EITHER DUE TO INCORPORATION WHEN ENGINE MANUFACTURED OR BY RETRO-FIT AS RESULT OF THREE YEAR VOLUNTARY PROGRAM ON SMOKE REDUCTION UNDERTAKEN BY U.S. CARRIERS AT REQUEST FAA. PRIMARY IMPACT OF EMISSION

REQUIREMENT WAS ON FOREIGN CARRIERS OPERATING TO U.S. FROM POINTS IN WESTERN HEMISPHERE. OF APPROXIMATELY 435 ENGINES AND SPARES INVOLVED, SLIGHTLY LESS THAN HALF WERE NOT MODIFIED FOR REDUCED SMOKE OPERATION. PROVISION WAS MADE FOR EXTENSION OF TIME ON INDIVIDUAL BASIS FOR COMPLIANCE WITH REQUIREMENT.

(B) A NOTICE OF PROPOSED RULE MAKING, (NPRM)74-3, PUBLISHED JANUARY 25, 1974, PROPOSED AVIATION SECURITY PROGRAM REQUIREMENTS APPLICABLE TO FOREIGN AIR CARRIERS OPERATING INTO THE U.S. ESSENTIALLY SIMILAR TO THOSE FOR U.S. FLAG AND DOMESTIC AIR CARRIERS. COMPLIANCE WOULD REQUIRE EACH FOREIGN AIR CARRIER TO USE A SECURITY PROGRAM FOR U.S. OPERATIONS WHICH MEETS THE STANDARDS OF THOSE SECURITY PROGRAMS REQUIRED OF U.S. AIR CARRIERS AND WOULD SPECIFICALLY REQUIRE 100 PCT SCREENING OF PASSENGERS AND CARRY-ON BAGGAGE PRIOR TO BOARDING. IT WOULD FURTHER REQUIRE SPECIFIC ACTIONS ON THE PART OF THE FOREIGN AIR CARRIER WHEN IT RECEIVES A BOMB OR AIR PIRACY THREAT.

(C) NPRM 74-14, ISSUED MARCH 27, 1974, PROPOSED CIVIL AIRCRAFT FLEET NOISE REQUIREMENTS (RETRO-FIT). THE PROPOSAL WOULD REQUIRE COMPLIANCE WITH FAR 36 NOISE STANDARDS ON AN INTERIM BASIS FOR AT LEAST 1/2 OF THE ENGINES OF AIR CARRIER AIRCRAFT, BOTH U.S. AND FOREIGN FLAG BY JUNE 30, 1976, WITH FULL COMPLIANCE OF ALL AIRCRAFT REQUIRED LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 05 STATE 159141

AFTER JUNE 30, 1978. THE PROPOSED RULE WOULD REQUIRE RETRO-FIT OR RETIREMENT OF OLDER, NOISIER SUBSONIC AIRCRAFT SUCH AS THE BOEING 707, DC-8, WHICH DO NOT MEET FAR 36 NOISE LEVELS. COST OF RETROFITTING U.S. REGISTERED AIRCRAFT AFFECTED HAS BEEN ESTIMATED AT APPROXIMATELY DOLS 800 MILLION. IMPACT ON FOREIGN AIR CARRIERS HAS NOT BEEN DETERMINED. (COPIES OF NPRM AIR POUCHED TO RCAAS BEIRUT, CASABLANCA.)

3. HAMMERSKJOLD QUESTIONED PROPRIETY AND ADVISABILITY OF U.S. UNILATERALLY ESTABLISHING AND ENFORCING STANDARDS SUCH AS THOSE IN PARAGRAPH 1 ABOVE, CITING DANGER OF SUCH UNILATERAL ACTIONS SPREADING AND UNDERMINING EFFORTS ACHIEVE MULTILATERAL AGREEMENT ON TECHNICAL STANDARDS FOR AIRCRAFT THROUGH INTERNATIONAL CIVIL AVIATION ORGANIZATION. IATA VIEW SET FORTH IN AIDE MEMOIRE ENTITLED "UNILATERALISM AND INTERDEPENDENCE" WHICH HAMMARSKJOLD SENT TO ALL PRESIDENTS OF IATA MEMBER AIRLINES (AND PRESUMABLY TO ICAO).

4. DOT/FAA AND DEPT OFFICERS ASSURED HAMMARSKJOLD U.S. COMMITTED TO VIGOROUSLY PURSUING EFFORTS TO SECURE AGREED

INTERNATIONAL STANDARDS IN ICAO. HOWEVER, MAY BE SOME EXCEPTIONAL INSTANCES WHERE PROMPT ACTION IS DEMANDED TO PROTECT ENVIRONMENT OR SECURITY WITHIN THE U.S. IN ONLY ONE OF INSTANCES CITED (EMISSION STANDARDS) HAS THE RULE ACTUALLY BEEN PLACED IN EFFECT, AND IN THIS CASE IT WAS PART OF A BROAD STATUTORY REQUIREMENT (CLEAN AIR ACT AS AMENDED BY PL-91-604, DEC. 31, 1970). THE OTHER TWO INSTANCES ARE ONLY PROPOSED RULES. COMMENT WAS INVITED FROM ALL SOURCES AND ONLY AFTER CAREFUL CONSIDERATION OF THESE COMMENTS WILL THESE RULES BE ISSUED. THEY COULD BE SUBSTANTIALLY CHANGED AS A RESULT. WITH REGARD TO THE SECURITY PROPOSAL, INTENT IS TO PROTECT AGAINST IMPORT OF TERRORISTS INTO U.S. AIRPORTS, NOT TO APPLY U.S. REGULATIONS EXTRA-TERRITORIALLY. CONSEQUENCE WIDESPREAD RECOGNITION OF THE REALITY OF THIS PROBLEM AND ICAO COUNCIL ACCEPTANCE OF ANNEX 17 (TRANSPORT SECURITY STANDARDS), THERE HAVE BEEN FEW OBJECTIONS TO THIS NPRM. WITH RESPECT TO APPLICATION OF RETROFIT REQUIREMENTS TO FOREIGN-REGISTERED AIRCRAFT, FAA IN PROCESS OF REVIEWING LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 06 STATE 159141

ALL PERTINENT COMMENTS AND WILL ADDRESS THAT QUESTION IN CONJUNCTION WITH ANY FINAL REGULATION THAT MIGHT BE ISSUED.

5, THIS CABLE BEING SENT INITIALLY TO POSTS WITH SPECIAL INTEREST THIS ISSUE AND POSTS IN COUNTRIES WHOSE AIR CARRIERS HOLD PERMITS FROM CAB TO SERVE U.S. IT IS INTENDED FOR POSTS' BACKGROUND INFORMATION ONLY. HOWEVER, DEPT WOULD APPRECIATE POSTS REPORTING (AS IN CASE OF STOCKHOLM 3031-NOTAL) HOST GOVERNMENT OR AIRLINE ACTIVITY TOUCHING ON THIS ISSUE. KISSINGER

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CIVIL AVIATION, AIR TRANSPORTATION, AIR SAFETY, INTERNATIONAL ORGANIZATIONS, AIRLINES, DIPLOMATIC DISCUSSIONS, AVIATION REGULATIONS, PROPOSALS (BID), DIPLOMATIC COMMUNICATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 23 JUL 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE159141
Document Source: CORE
Document Unique ID: 00
Drafter: CHDUDLEY:GL
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740199-0479
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740725/aaaaauuw.tel
Line Count: 258
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 25 MAR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <25 MAR 2002 by collinp0>; APPROVED <13 MAY 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: IVAIR- INTERNATIONAL AIR TRANSPORT ASSOCIATION (IATA) AIDE MEMOIRE -UNILATERALISM AND INTERDEPENDENCE"
TAGS: ETRN, XX, US, IATA, (HAMMERKJOLD, KNUT), (BARNUM), (ENDERS)
To: BUENOS AIRES MULTIPLE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005